

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-27. **(cancelled)**

28. **(amended)** An isolated polynucleotide comprising:

(a) a nucleotide sequence encoding a polypeptide having Aspartate kinase activity, wherein the polypeptide has an amino acid sequence of at least 80% sequence identity, based on the Clustal V method of alignment, when compared to [[one of]] SEQ ID NO: 6 [[or 8]] or

(b) a complement of the nucleotide sequence, wherein the complement and the nucleotide sequence consist of the same number of nucleotides and are 100% complementary.

29. **(amended)** The polynucleotide of Claim 28, wherein the amino acid sequence of the polypeptide has at least 85% sequence identity, based on the Clustal V method of alignment, when compared to [[one of]] SEQ ID NO: 6 [[or 8]].

30. **(amended)** The polynucleotide of Claim 28, wherein the amino acid sequence of the polypeptide has at least 90% sequence identity, based on the Clustal V method of alignment, when compared to [[one of]] SEQ ID NO: 6 [[or 8]].

31. **(amended)** The polynucleotide of Claim 28, wherein the amino acid sequence of the polypeptide has at least 95% sequence identity, based on the Clustal V method of alignment, when compared to [[one of]] SEQ ID NO: 6 [[or 8]].

32. **(amended)** The polynucleotide of Claim 28, wherein the amino acid sequence of the polypeptide comprises [[one of]] SEQ ID NO: 6 [[or 8]].

33. **(amended)** The polynucleotide of Claim 28 wherein the nucleotide sequence comprises [[one of]] SEQ ID NO: 5 [[or 7]].

34. **(previously presented)** A vector comprising the polynucleotide of Claim 28.

35. **(previously presented)** A recombinant DNA construct comprising the polynucleotide of Claim 28 operably linked to at least one regulatory sequence.

36. **(previously presented)** A method for transforming a cell, comprising transforming a cell with the polynucleotide of Claim 28.

37. **(previously presented)** A cell comprising the recombinant DNA construct of Claim 35.

38. **(previously presented)** A method for producing a plant comprising transforming a plant cell with the polynucleotide of Claim 28 and regenerating a plant from the transformed plant cell.

39. **(previously presented)** A plant comprising the recombinant DNA construct of Claim 35.

40. **(previously presented)** A seed comprising the recombinant DNA construct of Claim 35.

41. **(amended)** A method for isolating a polypeptide encoded by the polynucleotide of Claim 28 comprising expressing and isolating the polypeptide from a cell containing a recombinant DNA construct comprising the polynucleotide operably linked to a regulatory sequence.

42-48. (cancelled)